

[Second Reprint]

SENATE, No. 548

STATE OF NEW JERSEY
212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Senator BOB SMITH

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Senator JOSEPH A. PALAIA

District 11 (Monmouth)

Assemblyman SEAN T. KEAN

District 11 (Monmouth)

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Assemblyman ROBERT M. GORDON

District 38 (Bergen)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

**Senators Allen, Madden, Assemblyman Diegnan, Assemblywoman
McHose, Assemblymen Steele, Vas, Moriarty and Assemblywoman Truitt**

SYNOPSIS

Permits the establishment of sick leave banks for school employees.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on December 6, 2007,
with amendments.

(Sponsorship Updated As Of: 12/14/2007)

1 AN ACT permitting the establishment of sick leave banks for school
 2 board employees and supplementing chapter 30 of Title 18A of
 3 the New Jersey Statutes.

4
 5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 6 *of New Jersey:*

7
 8 1. Notwithstanding any other provision of law to the contrary, a
 9 sick leave bank may be established for employees of a board of
 10 education if both the board and the majority representative or
 11 majority representatives of the employees¹**[,]**¹ who would be
 12 eligible to participate¹**[,]**¹ consent to the establishment of the sick
 13 leave bank. The purpose of the sick leave bank shall be to enable
 14 employees of the board who are entitled to sick leave under chapter
 15 30 of Title 18A of the New Jersey Statutes to draw needed days of
 16 sick leave in addition to any days to which they are otherwise
 17 entitled. The sick leave days available ¹to a board employee¹ from
 18 the sick leave bank shall be leave days previously donated to the
 19 bank by ¹board¹ employees ²**[of ¹the board] the same bargaining**
 20 **unit¹]²**. Employees may donate sick leave days or any other leave
 21 time as agreed upon by the board and the majority representative.
 22 Sick leave drawn from the bank shall be treated for all purposes as
 23 if it were accrued sick leave time of the employee who receives it.
 24 No employee shall be required to participate in the bank.

25
 26 2. The sick leave bank shall be administered by a committee
 27 which shall be comprised of three members selected by the board of
 28 education and three members selected by the majority
 29 representative or majority representatives of those employees of the
 30 board who are eligible to participate in the sick leave bank. The
 31 committee may establish standards or procedures that it deems
 32 appropriate for the operation of the sick leave bank, which may
 33 include a requirement that employees donate leave time to be
 34 eligible to draw leave time from the sick leave bank and limitations
 35 on the amount of sick leave time which may be drawn or the
 36 conditions under which the sick leave time may be drawn. No day
 37 of leave which is donated to a sick leave bank by an employee shall
 38 be drawn by that employee or any other employee from the sick
 39 leave bank unless authorized by the committee in order to provide
 40 sick leave.

41
 42 3. No provision of this act, or regulation promulgated to
 43 implement or enforce this act, shall be deemed to justify a board of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted January 26, 2006.

²Assembly AED committee amendments adopted December 6, 2007.

1 education in reducing or making less favorable to employees any
2 sick leave, disability pay or other benefits provided by the board or
3 required by a collective bargaining agreement which are more
4 favorable to the employees than those required by this act, nor shall
5 any provision of this act, or any regulation promulgated to
6 implement or enforce this act, be construed to prohibit the
7 negotiation and provision through collective bargaining agreements
8 of sick leave, disability pay or other benefits which are more
9 favorable to the employee than those required by this act,
10 irrespective of the date that a collective bargaining agreement takes
11 effect.

12

13 4. No provision of this act shall be construed as limiting the
14 authority of a board of education to provide an employee with
15 additional days of salary pursuant to N.J.S.18A:30-6 after all sick
16 leave available to the employee¹, including days provided under
17 this act.¹ has been used.

18

19 5. This act shall take effect immediately.